

Natural England's Coastal Access Scheme consultation

Your response

Please provide below details of yourself and where appropriate your organisation. Fields marked * are mandatory.

Your personal details	
Title (Mr, Ms, Dr, Prof)	Mrs
First name	Hilary
Last name*	Winter
Your organisation	
Please note: only complete this section if you are responding on behalf of an organisation. By completing this section your response will be displayed back alongside your organisation name.	
Job Title	Forum Officer
Organisation	Devon Countryside Access Forum
Department	
Confidentiality	
Please indicate below if you wish your submission to be treated as confidential	
I wish my submission to be treated as confidential	<input type="checkbox"/>
Confidentiality reasons	
Your sector	
Sector*	Please select one: <input type="checkbox"/> Business <input type="checkbox"/> Environmental or amenity organisation <input type="checkbox"/> Government agency or sponsored body <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Local Access Forum <input type="checkbox"/> Local or regional government <input type="checkbox"/> Professional / trade association
Your contact details	
Address line 1*	Lucombe House
Address line 2	County Hall
Address line 3	Topsham Road
Address line 4	EXETER
Post code*	EX2 4QW
Tel No.	01392 382084
email*	hilary.winter@devon.gov.uk
Date of response	

Natural England's Coastal Access Scheme consultation

Please leave response boxes blank below where you do not wish to answer.

Part A: Introduction – Chapter 1. The Scheme
<i>This chapter provides an introduction to the overall approach of the Scheme.</i>
1a) If you have any specific improvements to suggest on this chapter, please record them here:
<i>(Please provide specific references to any sections or paragraphs you refer to)</i>
The Devon Countryside Access Forum takes the view that it would be helpful for the Scheme to include further information on: <ol style="list-style-type: none">1) The status of the trail as a public right of way (i.e. will it have the same “status” as a public footpath or bridleway although not shown on the Definitive Maps).2) How the trail and spreading room will be depicted on OS maps3) Proposed timescale4) Further information on the extent of funding from Natural England for future maintenance and whether this will include items such as fencing.
1b) If you have any further general comments on the Scheme as a whole, please record them here:
The Devon Countryside Access Forum welcomes the scheme which has been laid out very comprehensively.
Chapter 2. The framework for alignment
<i>This chapter provides an explanation of the framework for alignment. The consultation version of chapter 2 is similar to chapter 2 in the Draft Scheme published in 2008.</i>
2a) If you have any specific improvements to suggest on this Chapter, please record them here:
<i>(Please provide specific references to any sections or paragraphs you refer to)</i>
2.1.6 The Forum advises that the public will need to be sure where spreading room landwards applies, and also where it does not in situations where land might be expected to be spreading room.
2.2.5 The Forum remains concerned about mixed messages on dog control and how effective control can be demonstrated. A significant effort will need to be directed towards public education.
2b) If you have any further comments on this Chapter, please record them here:
2.2.10 The Forum welcomes the potential for higher rights through the relaxation of national restrictions.

Natural England's Coastal Access Scheme consultation

Chapter 3. Implementation

This chapter provides an overview of the process we will follow for the implementation of coastal access rights. The consultation version of chapter 3 is broadly similar chapter 3 in the Draft Scheme published in 2008, but includes some further details about our intended approach to implementation. It clarifies in particular how we intend to work with the access authority and other local stakeholders to ensure a balanced approach.

3a) If you have any specific improvements to suggest on this Chapter, please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

Between Stages 6 and 7, the Forum recommends that an independent mediation process might be helpful to reduce the number of PINS reviews.

In 3.3.21 the Forum would welcome a statement clarifying how a 'valid objection' will be determined.

3b) If you have any further comments on this Chapter, please record them here:

The implementation process is critical and the success, or otherwise, of bringing forward coastal access will depend on effective and sensitive consultation.

Part B: Key principles of alignment – Chapter 4. Public interests

Chapter 4 considers principles relating to public interests. The consultation version of chapter 4 is broadly similar chapter 4 in the Draft Scheme published in 2008, but includes significant new details about our intended approach to:

- *Safety on the trail (section 4.2)*
- *Convenience of the trail, in particular its overall design and its use by people with reduced mobility (section 4.3)*
- *Spreading room, in particular our intended use of the discretion to recommend spreading room on the landward side of the trail (section 4.7)*
- *Coastal change, in particular to clarify our intended use of special provisions in the Act which allow the trail to adapt (section 4.9).*

4a) If you have any specific improvements to suggest on the new details in this Chapter (sections 4.2, 4.3, 4.7 and 4.9), please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

The Forum advises that this chapter should include more specific references to raising public awareness and providing education and information on the opportunities arising from coastal access.

4.3.9 It is unclear who 'local representatives' are and this should be amplified.

4.3.10 The first bullet point makes reference to 'vehicles'. The Forum advises that this should be re-written to ensure that any disabled vehicles (tramper buggies etc.) are not included in this section.

Natural England's Coastal Access Scheme consultation

4b) If you have any other specific improvements to suggest on this Chapter, please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

4c) If you have any further comments on this Chapter, please record them here:

Chapter 5. Interests of owners and occupiers

This chapter introduces general principles relating to the interests of owners and occupiers. The consultation version of chapter 5 is similar to chapter 5 in the Draft Scheme published in 2008, but includes more detail about our approach to built development around the coast in section 5.5.

5a) If you have any specific improvements to suggest on the new details in this Chapter (section 5.5), please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

5.3.2 The Forum is concerned about the term 'significant loss of income' and how this will be judged. It takes the view that there should be an independent evaluation of these matters and that the implications of any loss of income needs to be reviewed.

5b) If you have any other specific improvements to suggest on this Chapter, please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

5c) If you have any further comments on this Chapter, please record them here:

Chapter 6 – Striking an appropriate balance

This chapter explains the range of solutions available to us to ensure that an appropriate balance is struck between the key principles of alignment described in chapters 4 and 5. This is a new chapter for the consultation version which did not appear in the Draft Scheme published in 2008. It explains in much more detail than the Draft Scheme:

- The range of techniques available to ensure that our recommendations on coastal access strike a balance between all interests in the affected land*
- The principles we will use to decide which option is appropriate in each circumstance.*

6a) If you have any specific improvements to suggest on this Chapter, please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

Natural England's Coastal Access Scheme consultation

6b) If you have any further comments on this Chapter, please record them here:
The Forum is encouraged by the detail in this chapter.

Part C: Application of the key principles – Chapter 7. Coastal land cover and landforms
<i>This chapter indicates our likely approach to the coastal access duty in relation to various types of land cover and landform which occur on the English coast, taking into account the key principles of public interest in part B. The consultation version of chapter 7 is a much more detailed explanation of the approach set out in chapter 6 of the Draft Scheme published in 2008. It focuses on the balance between public interests, in particular the balance to be struck between coastal access and environmental objectives. It includes new sections on coastal land cover and landform not considered in the Draft Scheme published in 2008.</i>
7a) If you have any specific improvements to suggest on this Chapter, please record them here:
<i>(Please provide specific references to any sections or paragraphs you refer to)</i>
7.7.5 The Forum advises that permanent grassland is still a crop and managed accordingly. This will need to be taken into account in determining the width of the trail and any spreading room.
7b) If you have any further comments on this Chapter, please record them here:

Chapter 8 – Coastal land use issues
<i>This chapter explains our likely approach to the coastal access duty in relation to common coastal land use issues, in terms of the private interest factors described in part B. The consultation version of chapter 8 is a much more detailed explanation of the approach set out in Chapter 7 of the Draft Scheme published in 2008. It focuses on the fair balance that the Act requires our coastal access recommendations to aim to strike between private and public interests. It includes new sections on land use issues not considered in the Draft Scheme published in 2008.</i>
8a) If you have any specific improvements to suggest on this Chapter, please record them here:
<i>(Please provide specific references to any sections or paragraphs you refer to)</i>
8.1.7 The Scheme fails to take into account the following factors: 1) Coastal access may bring greater numbers of people and noise to an area. The Forum questions whether the temperament of a bull can be adequately assessed. 2) What happens to the route alignment and spreading room if a bull is sold or changes location on the farm. Natural England may need to consider fencing and, in the initial stages, may need to take into account the needs of the animal. Where it is necessary to fence or align the trail some compensation may be necessary.

Natural England's Coastal Access Scheme consultation

8.7 In this section reference should be made to the fact that on cropped land a 4m wide trail may not be appropriate.

Chapter 9. Illustrated examples – open coast

The illustrations in the consultation version of chapter 9 are the same as those in chapter 8 of the Draft Scheme published in 2008. There are some minor clarifications in the accompanying text.

9a) If you have any specific improvements to suggest on this Chapter, please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

9b) If you have any further comments on this Chapter, please record them here:

Chapter 10. Additional considerations at estuaries

The consultation version of chapter 10 is similar to chapter 9 of the Draft Scheme published in 2008, but includes more detail about our assessment at estuaries of:

- *Ferry services (section 10.3).*
- *Recreational benefit from coastal access (section 10.5).*

10a) If you have any specific improvements to suggest on the new details in Chapter (sections 10.3 and 10.5), please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

10.3.3.

DCAF acknowledges that estuaries, in particular those without a year-round and regular ferry service will present special difficulties, and the Forum trusts that NE, in the interests of the trail continuity to which it is committed, will take this into account when deciding how the trail will traverse such estuaries. The Forum welcomes the flexibility in Chapter 10 but recognises the particular challenges this may present at the consultation stage.

10b) If you have any other specific improvements to suggest on this Chapter, please record them here:

(Please provide specific references to any sections or paragraphs you refer to)

10c) If you have any further comments on this Chapter, please record them here:

Natural England's Coastal Access Scheme consultation

Chapter 11 – Illustrated examples – estuaries
<i>The illustrations in the consultation version of chapter 11 are the same as those in chapter 10 of the Draft Scheme published in 2008. There are some minor clarifications in the accompanying text.</i>
11a) If you have any specific improvements to suggest on this Chapter, please record them here: <i>(Please provide specific references to any sections or paragraphs you refer to)</i>
11b) If you have any further comments on this Chapter, please record them here:

Thank you for your response.